

STATE OF MINNESOTA
COUNTY OF CHISAGORECEIVED
BY MAIL

MAY 23 2024

CLERK, U.S. DISTRICT COURT
ST. PAUL, MNDISTRICT COURT
TENTH JUDICIAL DISTRICT
CASE TYPE: DISSOLUTION WITH
CHILD

In re the Marriage of:

Court File No. _____

Kayla Lynn Sybrant,

Petitioner,

SUMMONS

v.

Aaron Dale Sybrant,

Respondent.

THE STATE OF MINNESOTA TO THE ABOVE-NAMED RESPONDENT, AARON DALE SYBRANT, CHISAGO COUNTY COURT HOUSE, 313 NORTH MAIN STREET, ROOM 358, CENTER CITY, MN 55012:

You are hereby summoned and required to serve upon Petitioner's attorneys an answer to the Petition, which is herewith served upon you, within 30 days after service of this Summons and Petition upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Petition.

This proceeding involves, directly, or brings into question, real property situated in the County of Chisago, State of Minnesota, and legally described as:

Section 23 Township 035 Range 020 W 300 ft of N 20 Acres of
E30 Acres of NE ¼ of SW ¼ of Section 23.

**NOTICE OF TEMPORARY RESTRAINING AND
ALTERNATIVE DISPUTE RESOLUTION PROVISIONS
PURSUANT TO MINN. STAT. 518.091**

Under Minnesota law, service of this Summons makes the following requirements apply to both parties to this action, unless they are modified by the court or the proceeding is dismissed:



- (1) Neither party may dispose of any assets except (i) for the necessities of life or for the necessary generation of income or preservation of assets, (ii) by an agreement in writing, or (iii) for retaining counsel to carry on or to contest this proceeding;
- (2) Neither party may harass the other party; and
- (3) All currently available insurance coverage must be maintained and continued without change in coverage or beneficiary designation.
- (4) Parties to a marriage dissolution proceeding are encouraged to attempt alternative dispute resolution pursuant to Minnesota law. Alternative dispute resolution includes mediation, arbitration, and other processes as set forth in the district court rules. You may contact the court administrator about resources in your area. If you cannot pay for mediation or alternative dispute resolution, in some counties, assistance may be available to you through a nonprofit provider or a court program. If you are a victim of domestic abuse or threats of abuse as defined in Minnesota Statutes chapter 518B, you are not required to try mediation and you will not be penalized by the court in later proceedings.
- (5) Under Minn. Stat. § 518.157, in a contested proceeding involving custody or parenting time of a minor child, the parties must begin participation in a parent education program that meets minimum standards promulgated by the Minnesota Supreme Court. In some districts, parenting education may be required in all custody or parenting proceeding. You may contact the district court administrator for additional information regarding this requirement and the availability of parent education programs.

If you violate any of these provisions, you will be subject to sanctions by the court.

Upon service of this Summons, the restraining provisions contained in the notice apply by operation of law upon both parties until modified by further order of the court or dismissal of the proceeding, unless more than one year has passed since the last document was filed with the court.

Dated: 5/22/2023

SWEDBACK LAW, PLLC

Julie K. Swedback

ID 5sD2B91F4E63GNH1MT2JE3Z

Julie K. Swedback, A.R. # 241295
209 Churchill St. W., Suite 105
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ATTORNEY FOR PETITIONER

**STATE OF MINNESOTA
COUNTY OF CHISAGO****DISTRICT COURT
TENTH JUDICIAL DISTRICT
CASE TYPE: DISSOLUTION WITH
CHILD**

In re the Marriage of:

Court File No. _____

Kayla Lynn Sybrant,

Petitioner,

**PETITION FOR DISSOLUTION OF
MARRIAGE WITH CHILD**

v.

Aaron Dale Sybrant,

Respondent.

Petitioner for her Petition for Dissolution of Marriage from Respondent states and alleges as follows:

1. The true and correct name and address of Petitioner are as follows:

Kayla Lynn Sybrant
14653 St. Croix Trail North
North Branch, MN 55056

Petitioner has been known by the following other names: Kayla Lynn Olson and Kayla Lynn Shanks.

The true and correct name and address of Respondent are as follows:

Aaron Dale Sybrant
unknown

Respondent has been known by the following other names: None.

2. The attorney for Petitioner Julie K. Swedback, Swedback Law, PLLC.
3. Petitioner was born on 5/30/1984, and is 38 years of age. Respondent was born on 6/5/1982, and is 40 years of age.
4. The parties were married on 10/13/2013, in Gooseberry Falls, Minnesota, County of Lake, and ever since said date, have been and now are wife and husband.

5. Petitioner is a resident of the State of Minnesota, and she has resided in the County of Chisago for not less than one hundred eighty (180) days immediately preceding the commencement of this proceeding.

6. There has been an irretrievable breakdown of the marriage relationship of the parties within the meaning of Minn. Stat. § 518.06. The parties physically separated on May 1, 2023, when Respondent was removed from the marital homestead pursuant to an Order for Protection.

7. To the best of Petitioner's knowledge, there has been no separate proceeding for dissolution of marriage initiated by Respondent, and no such proceeding is now pending in any court in this state or elsewhere.

8. This Petition has been filed in good faith and for the purposes set forth herein.

9. Neither party is in the military service of the United States of America or any of its allies, and, accordingly, neither party is entitled to protection under the Servicemembers Civil Relief Act (SCRA).

10. Petitioner has an Order for Protection under Minn. Stat. § 518B (Court File No. 13-FA-23-102) against Respondent that governs her and the parties' child, Grace Mary Sybrant, DOB: 9/22/2017, age 5, and Petitioner's non-joint minor children, Taylor Lynn Olson, DOB: 8/19/2005, age 17, and Skyler Ann Olson, DOB: 12/10/2008, age 14.

11. There one (1) minor joint child born of this marriage:

Grace Mary Sybrant, DOB: 9/22/2017, age 5.

The parties' minor child is in the custody of Petitioner who is a fit and proper party to have the care, custody, and control of the minor child. The best interest and welfare of the minor child will be served by Petitioner having permanent sole legal custody and by Petitioner having permanent sole physical custody of the minor child.

12. It is in the best interest of the minor child to deny Respondent temporary parenting time and to reserve Respondent's permanent parenting time with the minor child.

13. Petitioner is not now pregnant.

14. Petitioner is the owner of Advanced Animal Works, located at 14653 St. Croix Trail North, North Branch, MN 55056. Petitioner's income is seasonal and varies. She has not earned any income from this business in 2023. Petitioner is a joint owner of NC Leather with Respondent, located at 14653 St. Croix Trail North, North Branch, MN 55056. Petitioner 2022 gross annual receipts from NC Leather were \$30,535, and she had a 2022 net annual profit of \$11,317. Petitioner needs support for herself and the minor child of the parties.

15. Respondent is a joint owner of NC Leather, located at 14653 St. Croix Trail North, North Branch, MN 55056. Respondent's 2022 gross annual receipts were \$30,535, and he had a 2022 net annual profit of \$11,317. Respondent receives a monthly Veteran's benefit of \$2,756.39. Additionally, he receives \$500/week insurance payment due to a recent car accident. Respondent is self-supporting and is not in need of support from Petitioner. Respondent is capable of contributing to Petitioner's support.

16. In addition to NC Leather and Advanced Animal Works, the parties own The Mason's Touch, which was wound down on 12/31/2021. The parties did not report any income in 2022 for this business.

17. The parties individually and jointly have incurred indebtedness to various creditors.

18. The parties are owners in joint tenancy of their homestead, which is a single-family dwelling, located at 14653 St. Croix Trail North, North Branch, MN 55056, legally described as follows:

Section 23 Township 035 Range 020 W 300 ft of N 20 Acres of
E30 Acres of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 23.

The parties purchased the homestead property in July 2014 for \$188,000. The property currently has a 2023 estimated tax value of \$316,500. US Bank holds a first mortgage and note on the property totaling \$192,303.

19. Petitioner has a nonmarital rollover IRA with Putnam Fiduciary Trust Company.

20. The parties have checking and savings accounts with Huntington Bank. Respondent recently withdrew the full balance of approximately \$11,000 from the parties' joint checking account, and the account has a current balance of -\$935.36.

21. Respondent has a life insurance policy through USAA with an unknown death benefit.

22. The parties are the owners of multiple vehicles, recreational vehicles, trailers, business assets, and miscellaneous personal property and household goods subject to an equitable distribution between them.

WHEREFORE, Petitioner asks the Court to enter a Judgment and Decree as follows:

1. Granting a dissolution of the parties' marriage.
2. Awarding Petitioner permanent sole legal and sole physical custody of the parties' minor child.
3. Denying Respondent temporary parenting time with the minor child.
4. Reserving Respondent's permanent parenting time with the minor child.
5. Awarding child support to be exchanged between the parents pursuant to Minnesota child support guidelines.
6. Awarding Petitioner permanent spousal maintenance as is just and equitable.
7. Denying spousal maintenance to Respondent.
8. Awarding Petitioner 100% interest in her nonmarital rollover IRA.
9. Ordering Respondent to immediately pay to Petitioner one-half of the Huntington Bank joint checking account funds (approximately \$5,500) that he withdrew on or about April 28, 2023.
10. Awarding the parties an equitable division of their personal property, including multiple vehicles, recreational vehicles, trailers, business assets, miscellaneous personal property, and household goods and furnishings.
11. Ordering Respondent to pay any debt incurred in his individual name.
12. Ordering Petitioner to pay any debt incurred in her individual name.
13. Awarding Petitioner exclusive temporary possession of the marital homestead.
14. Ordering the parties to each maintain in full force and effect any medical, hospitalization, dental and life insurance presently in place.

15. Ordering that Respondent to pay Petitioner's attorney fees and costs incurred herein.

16. For such other and further relief as the Court may deem just and equitable.

Dated: 5/22/2023

SWEDBACK LAW, PLLC

Julie K. Swedback

ID 5aB2B91F4Ea3GNH1MT2JEI3Z

Julie K. Swedback, A.R. # 241295
209 Churchill St. W., Suite 105
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651-335-3127
julie@swedbacklaw.com

ATTORNEY FOR PETITIONER

ACKNOWLEDGMENT

I hereby acknowledge that sanctions may be awarded pursuant to Minn. Stat. § 549.211, subd. 3, if the Court determines that this pleading violates Minn. Stat. § 549.211, subd. 2

Dated: 5/22/2023

Julie K. Swedback

ID 5aB2B91F4Ea3GNH1MT2JEI3Z

Julie K. Swedback

VERIFICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF CHISAGO)

Kayla Lynn Sybrant of said County and State, being first duly sworn upon oath, deposes and says that she is the Petitioner named in the foregoing, within-entitled proceeding; that she has read the attached Petition and that the same is true of her own knowledge, except those statements based on information and belief, which statements she believes to be true.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Signed at Chisago County, Minnesota

on 5/22/2023

Kayla Lynn Sybrant

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Kayla Lynn Sybrant

STATE OF MINNESOTA
COUNTY OF CHISAGO

DISTRICT COURT
TENTH JUDICIAL DISTRICT
FAMILY COURT DIVISION

CASE TYPE: Marital Dissolution with Child
File No. _____

Kayla Lynn Sybrant,

Petitioner,

and

CERTIFICATE OF REPRESENTATION

Aaron Dale Sybrant,

Respondent.

LAWYER FOR PETITIONER

Julie K. Swedback, #241295
Swedback Law, PLLC
Stillwater, MN 55082
651.321.3001

julie@swedbacklaw.com

LAWYER FOR RESPONDENT

Self-represented
Aaron Dale Sybrant
UNKNOWN

DATE: 05/22/2023

/s/ Julie K. Swedback
Julie K. Swedback

STATE OF MINNESOTA
COUNTY OF CHISAGO

CERTIFICATE OF SERVICE

I hereby certify that on the 23 day of May, 20 23 at 1315 hours,
at 313 N. Main St. Center MN 55012 in the County of Chisago, State of
Minnesota, I duly served the following:

<input type="checkbox"/> Order to Show Cause	<input type="checkbox"/> Order
<input type="checkbox"/> Notice of Motion, Motion & Affidavit	<input type="checkbox"/> Order for Harassment Hearing, Petition & Affidavit
<input type="checkbox"/> Affidavit	<input type="checkbox"/> Ex Parte Order for Protection, Petition & Affidavit
<input type="checkbox"/> Eviction Summons & Complaint	<input type="checkbox"/> Order Granting Petition for HRO, Petition & Affidavit
<input type="checkbox"/> Subpoena	<input type="checkbox"/> Order Denying Petition for HRO, Petition & Affidavit
<input type="checkbox"/> Cancellation of Contract for Deed	<input type="checkbox"/> Harassment Restraining Order following Hearing
<input type="checkbox"/> Summons	<input type="checkbox"/> Order for Protection following Hearing
<input type="checkbox"/> Summons & Complaint	<input type="checkbox"/> Order for Continuance
<input type="checkbox"/> Notice	<input type="checkbox"/> Order for Dismissal
<input checked="" type="checkbox"/> Summons & Petition	<input type="checkbox"/> Order for Extension of Order for Protection
<input type="checkbox"/> Financial Source Documents	<input type="checkbox"/> Certificate of Representation

Other: _____

UPON: Aaron Dale Sybrant

☒ Personally by handing to and leaving with same a true and correct copy thereof.

☐ By then and there handing to and leaving a true and correct copy thereof at the house of his/her usual abode with _____ a person of suitable age and discretion residing therein.

☐ Posting in a conspicuous place of _____.

DATE: May 23, 2023

SHERIFF OF CHISAGO COUNTY
STATE OF MINNESOTA

BY: 

Deputy

164

Badge #